



**VOSH PROGRAM DIRECTIVE: 12-227A**

**ISSUED: August 15, 1996**

**SUBJECT: PERSONAL PROTECTIVE EQUIPMENT, GENERAL INDUSTRY, §§ 1910.132 through 1910.140; Technical Amendment and Corrections**

**A. Purpose.**

This directive re-transmits to field personnel the above-referenced revised standards (CHANGE I). CHANGE II addresses OSHA's intent for the new requirements of § 1910.132 to apply to §§ 1910.134 and 1910.137. CHANGE III specifically clarifies and restates in §§ 1910.133, 1910.135 and 1910.136 the employer's obligation to assure that employees wear appropriate types of protective equipment, including any personal protective equipment described in §§ 1910.133, 1910.135 and 1910.136.

*This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.*

**B. Scope.**

This directive applies to all VOSH personnel, and specifically to Occupational Safety Compliance and Cooperative Programs personnel.

**C. Action.**

Directors and Supervisors shall assure that compliance officers understand the provisions of these revised standards and comply with their requirements.

**D. Effective Dates.**

CHANGE I: July 5, 1994.

CHANGE II: October 1, 1994.

CHANGE III: September 1, 1996.

**E. Expiration Date.**

Not Applicable.

**F. Background.**

**CHANGE I:** Federal OSHA performed a comprehensive review of the Personal Protective Equipment (PPE) standards in developing a proposed revision of Subpart I of the General Industry standards. This review revealed that many of the existing PPE standards were outdated; gaps existed in coverage of the PPE standards which set very restrictive design criteria which might limit the use of new technology; manufacturers might be discouraged from improving their equipment and from providing improved protection to workers unless the PPE standards were revised to be more performance-oriented; and, based on injury data and technical reports, significant improvements in PPE design and acceptance might be needed. Based on these concerns, a revised standards for PPE was promulgated that reflected improved means of hazard prevention.

**CHANGE II.** After publication of the revised standards for PPE, federal OSHA received many comments concerning the applicability of the general requirements contained in § 1910.132. The comments indicated that, although OSHA stated that §§ 1910.134 and 1910.137 were not being addressed by the rulemaking published on April 6, 1994 (59 FR 16334), it was still unclear whether OSHA intended for the new requirements of § 1910.132 to apply to §§ 1910.134 and 1910.137. Therefore, corrections were needed to clearly indicate OSHA's intentions in promulgating the final rule.

**CHANGE III:** On April 6, 1994 (59 FR 16334), federal OSHA published the final rule on Personal Protective Equipment for General Industry. In that rule, the introductory phrase “the employer shall ensure” was removed from various proposed requirements for employees to wear different types of protective equipment (§§ 1910.133--Eye and Face Protection; 1910.135--Foot Protection; and 1910.136--Head Protection). The preamble to the final rule clarified that these deletions were not intended to change the substantive requirements between the proposed and final rules. The employer was still obligated to require the employee to wear eye, face, head and foot protection regardless of whether the words “the employer shall ensure” were included in those standards.

Following the issuance of the final rule, the revised language caused difficulty for OSHA’s compliance staff with regard to the employer’s obligation to have employees wear PPE. That obligation, while specifically stated under § 1910.132 for all PPE, is not explicitly spelled out in the specific provisions of §§ 1910.133, 1910.135 and 1910.136, for eye, head, face, and foot protection.

**G. Summary.**

**CHANGE I:** These amendments to the existing Subpart I, Personal Protective Equipment (PPE), include standards containing general requirements for all PPE under § 1910.132 and other standards that set design, selection, and use requirements for specific types of PPE (eye, face, head, foot and hand). These revisions will provide guidance for the selection and use of PPE as well as clearer requirements, when appropriate, that are performance-oriented.

Among other things, § 1910.133 requires employees to use eye or face PPE when exposed to eye or face hazards. PPE must include side protection, which may be detachable, when flying object hazards are present. Employees who wear prescription lenses while engaged in operations that involve eye hazards shall wear eye protection that incorporates the prescription in their design, or shall be protected by eye protection that can be worn over prescription lenses without disturbing the proper position of the

prescription or protective lenses.

Section 1910.135 requires employees to wear protective helmets when working in areas where there is a potential for injury to the head from falling objects.

In § 1910.136 employers are required to ensure that employees wear protective footwear when working in areas where there is a danger of foot injuries due to falling and rolling objects, or objects piercing the soles.

Also, a new section, § 1910.138, was added to this Subpart to address hazards to the hands. This section requires employers to select, and employees to use appropriate hand protection. It identifies some of the types of hazards for which hand protection must be worn by employees, such as hazards from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes.

Non-mandatory Appendices A and B were also added to this Subpart to provide additional guidance to employers and employees with regard to PPE for eye, face, head, foot and hand hazards.

**CHANGE II:** As published, the final rule contained typographical errors as well as language that did not clearly express federal OSHA's intent. Therefore, OSHA made correction to the final rule for Personal Protective Equipment for General Industry.

Federal OSHA's intent in promulgating § 1910.132 of the final rule was that paragraph (d), "Hazard assessment and equipment selection," and paragraph (f), "Training," would apply only to §§ 1910.133, 1910.135, 1910.136, and 1910.138. OSHA amended the final rule by adding a new paragraph (g) to § 1910.132 to explain the applicability of the requirements for hazard assessments and training.

In § 1910.133 (Eye and Face Protection) on page 16361 (59 FR16334, April 6, 1994), the table, "Filter Lenses for Protection Against Radiant Energy," contains a typographical error. The column heading "Electric Size 1/32 in." should read, "Electrode Size 1/32 in."

In § 1910.136 (Foot Protection), on page 16362 of the final rule, paragraph (a) reads in part:

**General requirements.** Each affected employee shall wear protective footwear when working in areas where there is a danger of foot injuries due to falling and rolling objects....[emphasis added].

Federal OSHA's intent in promulgating § 1910.136 was to require the use of protective footwear when **either** of the above hazards were present. Therefore, the word "or" is replacing the word "and" to clarify OSHA's intent.

In creating the new § 1910.138 (Hand Protection), federal OSHA inadvertently failed to explain that it was removing and replacing the existing § 1910.138, "Effective dates," with the new "Hand Protection" section, and it has clarified that omission.

**CHANGE III:** The current language in the final rule for Personal Protective Equipment (PPE) for General Industry, which appears in §§ 1910.133, Eye and Face Protection; 1910.135, Foot Protection;

and 1910.136, Head Protection, contains requirements that employees wear specific PPE when they are exposed to workplace hazards. There was, however, no specific text in any of these sections that directly addressed the employer and the employer's responsibilities for compliance. This technical amendment corrected this problem by adding the language "The employer shall ensure that" the employees wear the equipment.

In the correction to § 1910.136(a), the words "the employer shall ensure that each affected employee uses" replaces the language "the employer shall ensure that each employee used."

Theron J. Bell  
Commissioner

E-Attachments: CHANGES I and II: None. Standard may be found in the VOSH Standards for General Industry

CHANGE III: 61 FR 26351 (May 24, 1996)

[http://www.osha.gov/FedReg\\_osha\\_pdf/FED19960812.pdf](http://www.osha.gov/FedReg_osha_pdf/FED19960812.pdf)

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### Industries Affected by the Personal Protective Equipment Standard

<u>SICs</u>	<u>Industries</u>
13	Oil & Gas Extraction
20,21	Food & Tobacco
22	Textiles
23,31	Apparel & Leather
24	Lumber & Wood Products
25	Furniture & Fixtures
26	Paper & Allied Products
27	Printing & Publishing
28	Chemicals
29	Petroleum Refining
30	Rubber & Plastics
32	Stone, Glass, Concrete
33	Primary Metals
34	Fabricated Metals
35	Machinery & Computers
36	Electric & Electronics
37	Transportation Equipment
38,39	Misc. Manufacturing
41,42	Transportation
48	Communications
49	Utilities
501,55,75	Automotive Trade & Services
50,51,52	Wholesale & Retail Trade
078,08	Horticulture & Forestry
7692	Welding Repair

**PERSONAL PROTECTIVE EQUIPMENT, GENERAL INDUSTRY,**

**§§ 1910.132 - 1910.140**

As adopted by the

SAFETY AND HEALTH CODES BOARD

Date April 25, 1994



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective date July 5, 1994

Personal Protective Equipment, General Industry,  
§§ 1910.132 - 1910.140

VR 425-02-151

When the regulations, as set forth in the standards for Personal Protective Equipment, General Industry, 1910.132 - 1910.140, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

July 5, 1994

July 5, 1994

**PERSONAL PROTECTIVE EQUIPMENT, GENERAL INDUSTRY,  
§§ 1910.132 - 1910.140**

As adopted by the  
SAFETY AND HEALTH CODES BOARD

Date July 19, 1994



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM  
VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective date October 1, 1994

Personal Protective Equipment, General Industry,  
§§ 1910.132 - 1910.140

VR 425-02-151



When the regulations, as set forth in the Corrections to the standards for Personal Protective Equipment, General Industry, §§1910.132, 1910.133, 1910.136, and 1910.138, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

July 5, 1994

October 1, 1994

**PERSONAL PROTECTIVE EQUIPMENT, GENERAL INDUSTRY,**

**§§ 1910.133, 1910.135 and 1910.136;**

**TECHNICAL AMENDMENT AND CORRECTION**

As adopted by the

SAFETY AND HEALTH CODES BOARD

Date June 17, 1996



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective date September 1, 1996

Personal Protective Equipment, General Industry,  
§§ 1910.133, 1910.135 and 1910.136

16 VAC 25-90-1910.133, 16 VAC 25-90-1910.135 and 16 VAC 25-90-1910.136

When the regulations, as set forth in the Corrections to the standards for Personal Protective Equipment, General Industry, §§ 1910.133, 1910.135 and 1910.136, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

June 3, 1996

September 1, 1996